

PROCEEDINGS OF THE COMMON COUNCIL  
IN REGULAR SESSION  
TUESDAY, AUGUST 24 19 82

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE  
COUNCIL CHAMBERS Tuesday August 24 A.D., 19 82,  
IN SESSION. PRESIDENT

JOHN H. LOGAN, ATTORNEY  
IN THE CHAIR, AND CHARLES W. WESTERMAN CLERK, AT THE DESK,

PRESENT THE FOLLOWING MEMBERS VIZ:

BRADBURY ☒, BURNS ☒, EISBART ☒,

GIAQUINTA ☒, ~~WENDELS~~ ☒, SCHMIDT ☒,

SCHOMBURG ☒, STIER ☒, TALARICO ☒,

ABSENT

COUNCILMAN

THE INVOCATION WAS GIVEN BY

RECEIVED REPORT FROM THE CITY CONTROLLER FOR THE MONTH OF  
, 19. MOTION MADE AND CARRIED THAT REPORT BE MADE  
A MATTER OF RECORD AND PLACED ON FILE.

THE MINUTES OF THE LAST REGULAR, 19,

, 19,

SPECIAL, 19,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED  
AND PUBLISHED.



# The City of Fort Wayne

## Office of the Mayor

August 13, 1982

To the Common Council  
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, August 13, 1982, I have approved the following ordinances passed by the Common Council at its regular meeting on August 10, 1982

(Bill No. S-82-07-22)  
SPECIAL ORDINANCE NO. S-131-82

AN ORDINANCE approving a Fire Protection Contract between the City of Fort Wayne and Zollner Corporation

(Bill No. S-82-07-23)  
SPECIAL ORDINANCE NO. S-132-82

AN ORDINANCE authorizing the execution of Agreements and understandings between the City of Fort Wayne and the United States Army Corps of Engineers

(Bill No. R-82-07-24)  
RESOLUTION NO. R-42-82

A RESOLUTION approving Resolution No. 82-19 as adopted by the Fort Wayne Redevelopment Commission for an Amendment to the Civic Center Renewal Project

(Bill No. R-82-06-04)  
DECLARATORY RESOLUTION NO. R-43-82

A DECLARATORY RESOLUTION designating an "Urban Development Area" under I.C. 6-1.1-12.1

(Bill No. Z-82-06-22)  
(as amended)  
ZONING MAP ORDINANCE NO. Z-16-82

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. I-2

(Bill No. Z-82-07-04)  
ZONING MAP ORDINANCE NO. Z-17-82

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-2

(Bill No. G-82-06-25)  
(as amended)  
GENERAL ORDINANCE NO. G-17-82

AN ORDINANCE amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana

(Bill No. S-82-07-28)  
SPECIAL ORDINANCE NO. S-133-82

AN ORDINANCE approving Change Order No. 1 and Final for Resolution No. 339-80, Glenwood Park Pump Station Elimination, in connection with the Board of Public Works

(Bill No. S-82-07-29)  
SPECIAL ORDINANCE NO. S-134-82

AN ORDINANCE approving Change Order No. 1 and Final, Water Contract 82-XP-2, Harrison Street Water Main Extension in connection with the Board of Public Works

(Bill No. S-82-07-30)  
SPECIAL ORDINANCE NO. S-135-82

AN ORDINANCE approving Change Order No. 4, Resolution No. 331-80, North Maumee Interceptor, in connection with the Board of Public Works

(Bill No. S-82-07-31)  
SPECIAL ORDINANCE NO. S-136-82

AN ORDINANCE approving Change Order No. 2 and Final, Resolution No. 332-80, North Maumee Interceptor, in connection with the Board of Public Works

(Bill No. S-82-07-32)  
SPECIAL ORDINANCE NO. S-137-82

AN ORDINANCE approving Change Order No. 3 and Final, Resolution No. 310-80, Phase II, in connection with the Board of Public Works

(Bill No. S-82-07-33)

SPECIAL ORDINANCE NO. S-138-82

AN ORDINANCE approving Change Order No. 6, Resolution No. 310-80, Phase I, St. Joe Interceptor Interconnect, in connection with the Board of Public Works

(Bill No. S-82-07-34)

SPECIAL ORDINANCE NO. S-139-82

AN ORDINANCE approving Change Order No. 7, Resolution No. 310-80, Phase I, St. Joe Interceptor Interconnect, in connection with the Board of Public Works

(Bill No. S-82-07-35)

SPECIAL ORDINANCE NO. S-140-82

AN ORDINANCE approving Change Order No. 8, Resolution No. 310-80, Phase I, St. Joe Interceptor Interconnect, in connection with the Board of Public Works

(Bill No. S-82-07-36)

SPECIAL ORDINANCE NO. S-141-82

AN ORDINANCE approving a contract with T-G Excavating, Inc. for the Water Pollution Control Department

(Bill No. S-82-07-37)

SPECIAL ORDINANCE NO. S-142-82

AN ORDINANCE approving Civil City Purchase Order No. A-18284 with Neenah Foundry Company for the Street Engineering Department

(Bill No. S-82-07-38)

SPECIAL ORDINANCE NO. S-143-82

AN ORDINANCE approving Change Order No. 5 and Final, Resolution No. 334-80, Trier Ditch, in connection with the Board of Public Works

(Bill No. S-82-07-25)

SPECIAL ORDINANCE NO. S-144-82

AN ORDINANCE amending Chapter 18 of the Municipal Code of the City of Fort Wayne of 1974 by adding certain Sections thereto on child exploitations

(Bill No. S-72-07-27)

(as amended)

GENERAL ORDINANCE NO. G-18-82

AN ORDINANCE pertaining to a moratorium on establishment of certain places for the exhibition of films or the dissemination of printed or written material, pictures, drawings, photographs, motion pictures and other representations

(Bill No. R-82-08-04)

RESOLUTION NO. R-44-82

A Resolution on the death of Councilman, John Nuckols

Respectfully yours,

A handwritten signature in dark ink, appearing to read "Win Moses, Jr.", with a stylized flourish at the end.

Win Moses, Jr.  
Councilman



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

11 August 1982

### COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

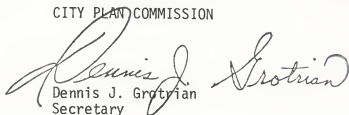
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-76-10-49

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
11th day of August 1982.

  
Dennis J. Grotzian  
Secretary



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

11 August 1982

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

1. Bill No. Z-76-10-49
2. Plan Commission Recommendation: WITHDRAWAL

REASON: This rezoning was deferred by the Plan Commission in November of 1976. We have had no response from the petitioner since that date.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

  
Gary F. Baeten  
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 26, 1976, referred a proposed zoning ordinance amendment to the City Plan Commission which proposed ordinance was designated as Bill Z-76-10-49; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

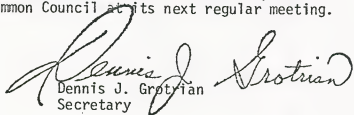
WHEREAS, the City Plan Commission scheduled a public hearing on such proposed ordinance on November 15, 1976; and,

WHEREAS, there has been no further contact with regard to this ordinance from the petitioner as to its final disposition.

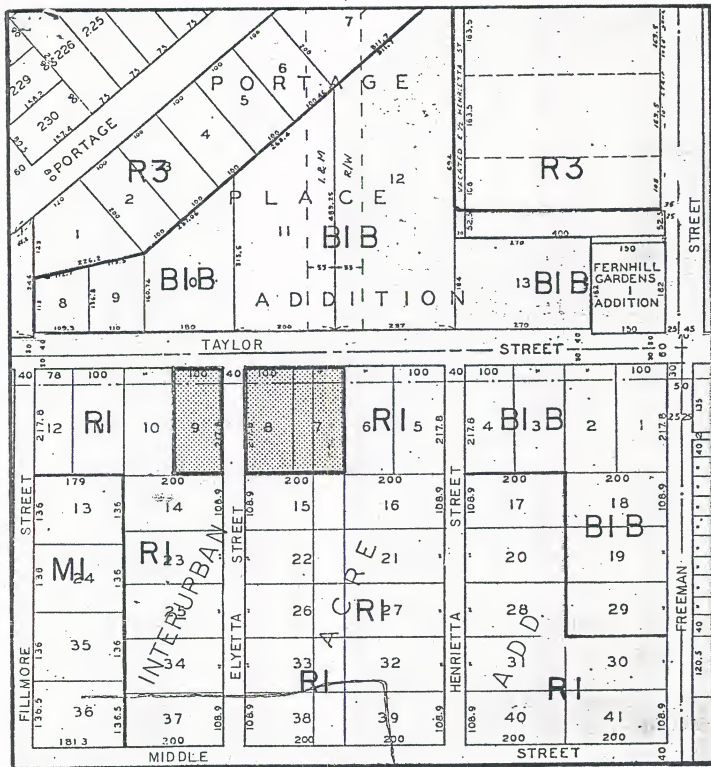
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission hereby recommends that such proposed ordinance be WITHDRAWN.

BE IT RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

Certified and signed this  
11th day of August 1982.

  
Dennis J. Grotzian  
Secretary





2-76-10-49

10-19-76

EE-2

L.S.



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

11 August 1982

### COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

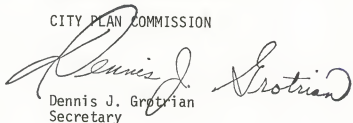
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-80-01-18

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
11th day of August 1982.

  
Dennis J. Grotrian  
Secretary



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

11 August 1982

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached here to is a copy of a resolution pertaining to one (1) zoning ordinance amendment:

1. Bill No. Z-80-01-18
2. Plan Commission Recommendation: WITHDRAW

REASON: Mr. Perry Shilts, attorney for the petitioner, was contacted on August 5, 1982 regarding the intent of his client with reference to this bill. Mr. Shilts informed us that the client no longer desires to proceed with the request to rezone.

If there are any questions with regard to this ordinance please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

*Gary F. Baeten*  
Gary F. Baeten  
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 22, 1980, referred a proposed zoning ordinance amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-01-18; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

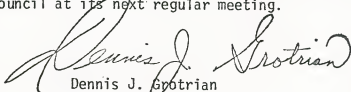
WHEREAS, the City Plan Commission scheduled a public hearing on such proposed ordinance on February 11, 1980; and,

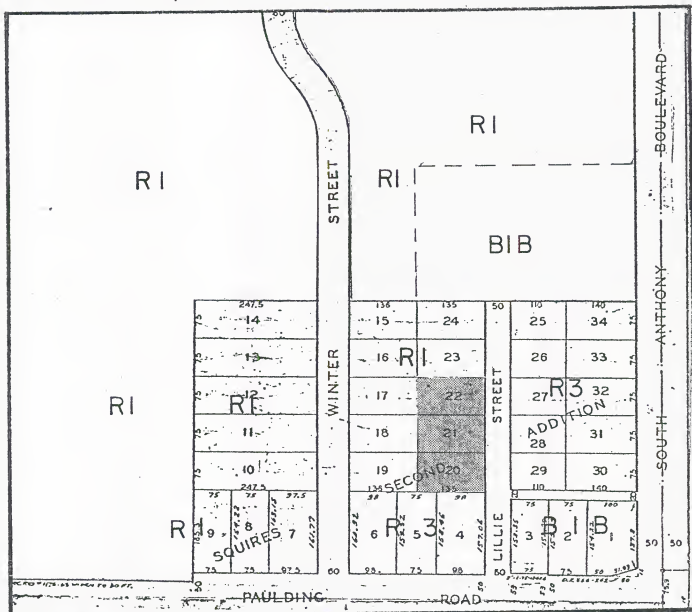
WHEREAS, the petitioner has requested that this amendment be withdrawn.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN.

BE IT RESOLVED that the secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

Certified and signed this  
12th day of August 1982.

  
Dennis J. Grotrian  
Secretary



CHANGE FROM RI TO R3

Z-80-01-18

Map No. 0-19

N



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

12 August 1982

### COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

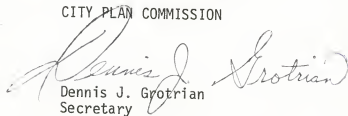
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-80-03-27

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
12th day of August 1982.

  
Dennis J. Grotrian  
Secretary



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

12 August 1982

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

1. Bill No. Z-80-03-27
2. Plan Commission Recommendation: WITHDRAW

REASON: The petitioner on April 9, 1980 requested that the Plan Commission postpone any action on the above ordinance for an indefinite period of time. Since this request in April of 1980 the petitioner has made no attempt to proceed with this request.

If there are any questions with regard to this ordinance please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

  
Gary F. Baeten  
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 25, 1980, referred a proposed zoning ordinance amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-03-27; and,

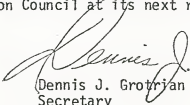
WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, there has been no further contact with regard to this ordinance from the petitioner as to its disposition.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN.

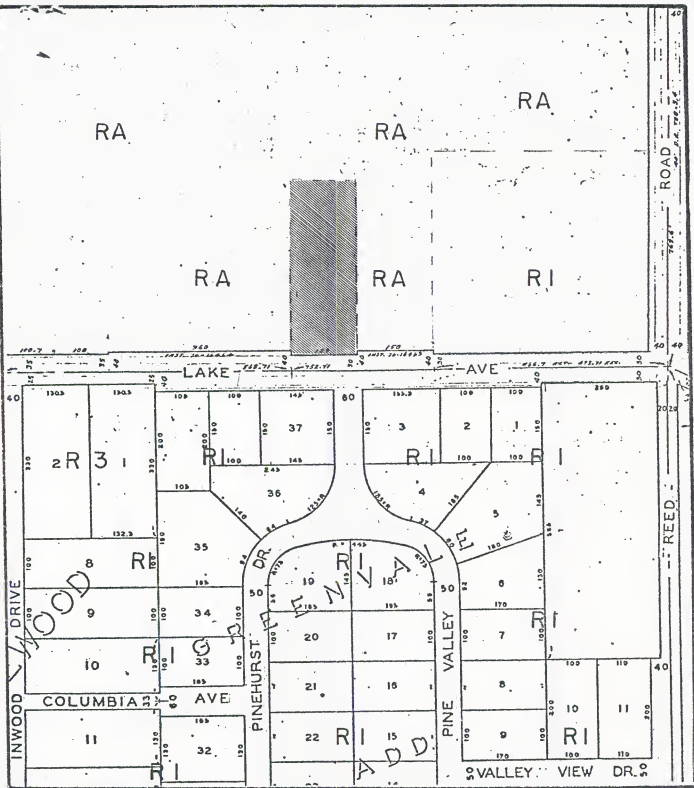
BE IT RESOLVED that the secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

Certified and signed this  
12th day of August 1982.

  
(Dennis J. Grotrian  
Secretary







REQUEST TO CHANGE FROM RA TO R3 ZONING.

Map No. S-14

Z-80-03-27

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## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

12 August 1982

### COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-75-12-15

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
12th day of August 1982.

Dennis J. Grotrian  
Secretary



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

12 August 1982

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

1. Bill No. Z-75-12-15
2. Plan Commission Recommendation: WITHDRAW

REASON: This rezoning petition was initiated by the Plan Commission in 1975. Since the public hearing on January 19, 1976, the Plan Commission staff has met on at least two occasions with the neighborhood in an effort to come to an agreement. These meetings have been to no avail.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

  
Gary F. Baeten  
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 9, 1975, referred a proposed zoning ordinance amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-12-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

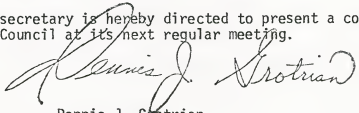
WHEREAS, the City Plan Commission scheduled a public hearing on such proposed ordinance on January 19, 1976; and,

WHEREAS, there has been no further progress with regard to this ordinance;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN.

BE IT RESOLVED that the secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

Certified and signed this  
12th day of August 1982.

A handwritten signature in dark ink, appearing to read "Dennis J. Grotrian", is written over the printed name and title.

Dennis J. Grotrian  
Secretary

10-28-75

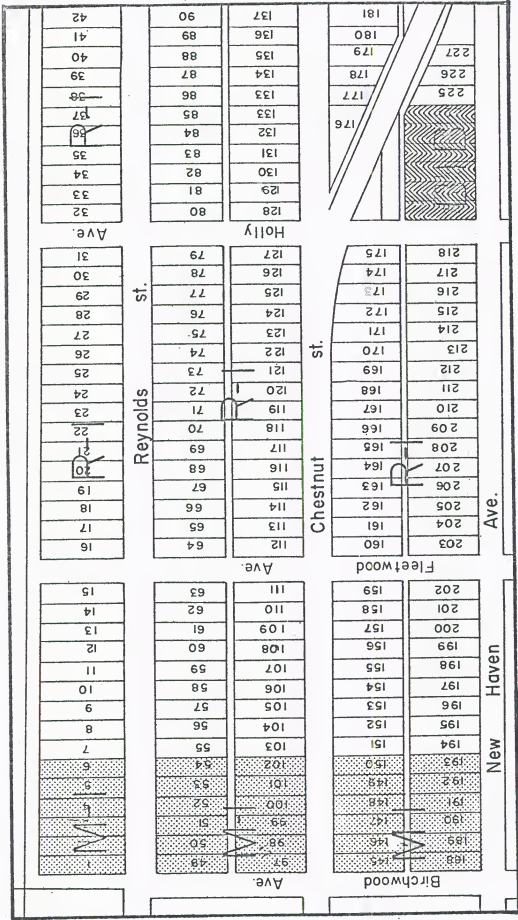
E-1

L.S.

Rezone from M-1 to R-3

Rezone from BIB to R-1

Bill No. Z-75-12-15





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

18 August 1982

### COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:


Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:


BILL NO. Z-82-08-07

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
18th day of August 1982.

  
Dennis J. Grodzian  
Secretary





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

18 August 1982

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held July 26, 1982. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-82-08-07
2. From B-3-B & R-3 to R-1
3. Intended Use: Single Family Residential
4. Plan Commission Recommendation: DO PASS

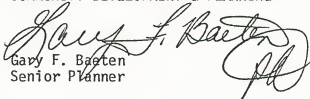
This ordinance received a DO PASS recommendation for the following reason:

REASON: The use or value of the area adjacent to the property included in this downzoning request will not be adversely affected.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

  
Gary F. Baeten  
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 10, 1982, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-82-08-07; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 19, 1982;

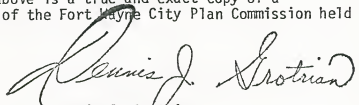
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

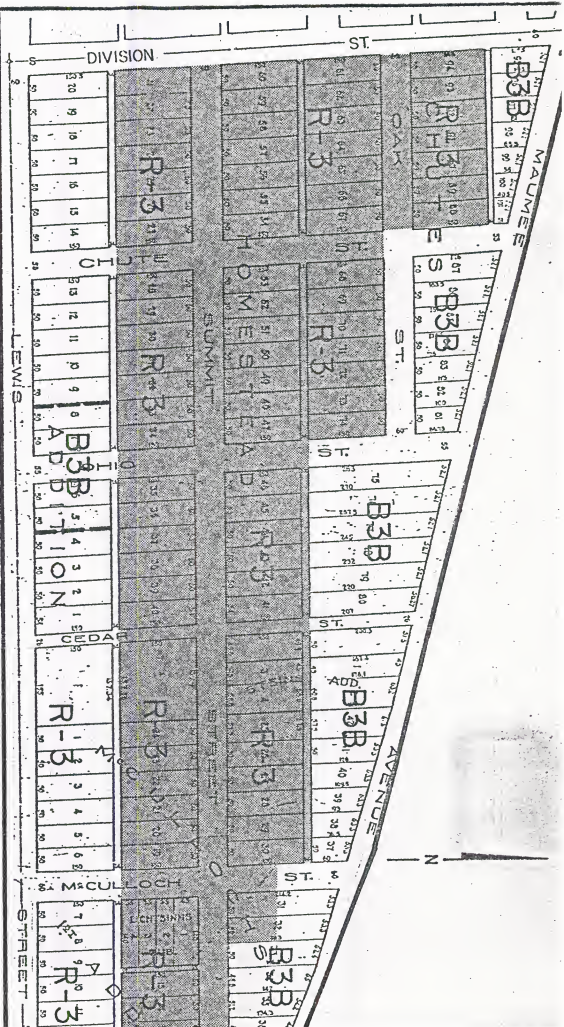
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 26, 1982.

Certified and signed this  
18th day of August 1982.

  
Dennis J. Grotrian  
Secretary





REQUEST TO CHANGE FROM B3B & R-3 TO R-1 ZONING

MAP NO. O-6

BY WILLIAM H. NESBITT 7-8-82

7-88-08-07



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 August 1982

### COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

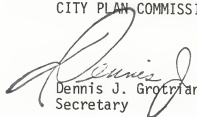
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:


BILL NO. Z-82-07-03

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
24th day of August 1982.

  
Dennis J. Grothman  
Secretary





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 August 1982

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held Augsut 23, 1982. In addition to th reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-82-07-03
2. From: R-2 to B-1-B
3. Intended Use: Barber Shop and Rental Property
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

REASON: The use or area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

*Gary F. Baeten* (pb)  
Gary F. Baeten  
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 13, 1982, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-82-07-03; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 16, 1982;

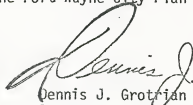
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the following "Findings of Fact":


- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute and unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

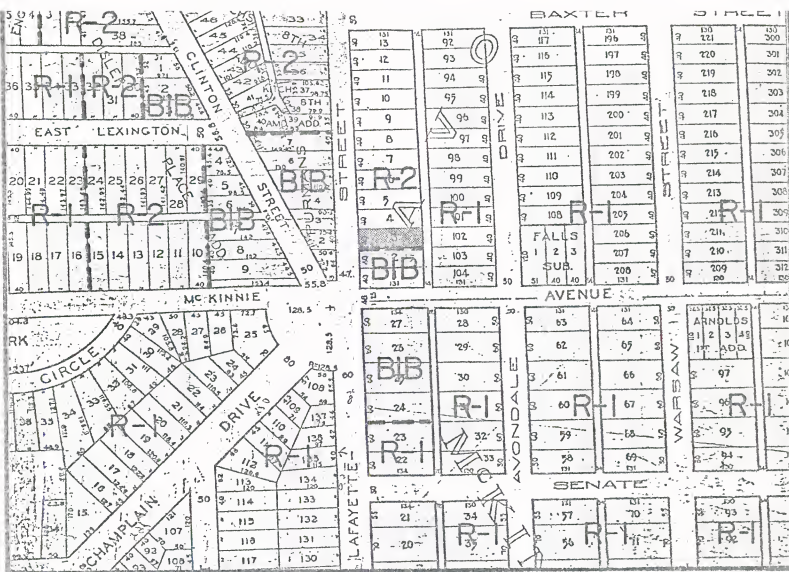
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 23, 1982.

Certified and signed this  
24th day of August 1982.

  
Dennis J. Grotzian  
Secretary





REQUEST TO CHANGE FROM R-2  
TO BIB ZONING

MAP NO. N-11

BY WILLIAM H. NESBITT 6-9-82

7-82-07-03



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 August 1982

### COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

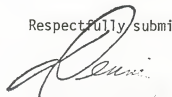
Attached is an amendment to the Zoning Ordinance of the City of Fort Wayne. This ordinance has been designated as Bill No. G-82-06-03 (AS AMENDED) (AS AMENDED).

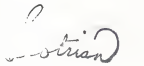
This amendment was returned by City Council with their comments for review by the City Plan Commission. The Plan Commission at their regular meeting held August 23, 1982 reviewed the ordinance and a motion was made to return the ordinance to the Common Council with a DO PASS recommendation.

If you have any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

Certified and signed this  
24th day of August 1982.

  
Dennis J. Grothman  
Secretary





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 August 1982

### COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:


Attached is an amendment to the Zoning Ordinance of the City of Fort Wayne. This ordinance has been designated as Bill No. G-82-06-03 (AS AMENDED) (AS AMENDED).

This amendment was returned by City Council with their comments for review by the City Plan Commission. The Plan Commission at their regular meeting held August 23, 1982 reviewed the ordinance and a motion was made to return the ordinance to the Common Council with a DO PASS recommendation.

If you have any questions with regard to this ordinance, please feel free to call on us.

Certified and signed this  
24th day of August 1982.

Respectfully submitted,

  
Dennis J. Grotrian  
Secretary

1 BILL NO. G-82-06-03 (AS AMENDED) (AS AMENDED)

2 GENERAL ORDINANCE NO. G-\_\_\_\_\_

3 AN ORDINANCE amending Chapter 33  
4 of the Municipal Code of the City  
5 of Fort Wayne, Indiana.

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
7 FORT WAYNE, INDIANA:

8 SECTION 1. Section 33-2 is amended by deleting (ss) and (tt)  
9 and replacing them with the following:

10 (ss) MANUFACTURED HOME - means a dwelling unit,  
11 designed and built in a factory, which, bears, a  
12 seal certifying that it was built in compliance  
with the federal Manufactured Housing Construction  
and Safety Standards Law (42 U.S.C. 5401).

13 (tt) MANUFACTURED HOME (TYPE I) - means a manufactured  
14 home that satisfies the following criteria:

- 15 a. the home has more than nine hundred fifty (950)  
16 square feet of occupied space in a double-  
17 section of larger multi-section unit;
- 18 b. the home is attached and anchored to a perma-  
19 nent foundation in conformance with the  
20 regulations of the One and Two Family Dwelling  
21 Code and with the manufacturer's installation  
22 specifications;
- 23 c. the home has a permanent perimeter enclosure  
24 in accordance with approved installation  
25 standards;
- 26 d. the home has its wheels, axles and hitch  
27 mechanisms removed;
- 28 e. the home has utilities connected in conformance  
29 with the One and Two Family Dwelling Code and with  
30 the manufacturer's installation specifications;
- 31 f. the home has siding and roofing material of a  
32 type customarily used as a part of on-site  
constructed residences; and,
- g. the home was constructed after January 1, 1981.

Section 33-13 is amended by adding the following:

- h. In R-1, R-2, R-3, R-A and R- districts, the  
Board may permit, a Manufactured Home (Type I)  
as long as the number of families living in  
such a home does not exceed the number permitted  
in the district. In granting the special use  
the Board shall determine that the proposed  
Type I manufactured home:



1 BILL NO. G-82-06-03 (AS AMENDED) (AS AMENDED)

2 Page two

3  
4 (i) is compatible with the existing housing pattern  
5 in the immediate area with regard to density,  
6 placement on the lot, geometric form, and bulk;

7 (ii) is constructed of roofing and siding materials  
8 compatible with the neighborhood.

9 SECTION 2. That this ordinance shall be in full force and  
10 effect from and after its passage and approval by the Mayor and the legal  
11 publication thereof.

12 \_\_\_\_\_  
COUNCILMEMBER

13  
14 APPROVED AS TO FORM  
15 AND LEGALITY

16  
17 \_\_\_\_\_  
BRUCE O. BOXBERGER, CITY ATTORNEY

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolutions Numbers: 44/82/D  
45/82/E  
46/82/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolutions a matter of record and  
incorporate them into the minutes of the next Common Council  
Meeting.

Respectfully submitted,



Nick Palermo, Chairman  
Board of Public Safety

R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 44/82/D  
45/82/E  
46/82/E)

I hereby certify that I did this 18th day of  
August, 1982 deliver to each, the City Traffic  
Engineer, the Chief of Police, the City Attorney, the City  
Clerk and the President of the Common Council of the City  
of Fort Wayne, Indiana respectively, a copy of the within  
Regulatory Resolution No. 44/82/D  
45/82/E of the Board of Public  
46/82/E  
Safety of the City of Fort Wayne, duly certified by me as  
Chairman of said Board, in accordance with the provisions  
of Section 17-4 of Chapter 17, of the Code of the City of  
Fort Wayne, Indiana 1974.

  
\_\_\_\_\_  
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 44/82/D

(Adopted August 17, 1982)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter delegates to this Board authority to NO PARKING (DELEGATED)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 17, 19 82, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 121 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective

August 17, 19 82, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (DELEGATED)

Grant Ave. -- west side -- from the north property line of Humphrey St. to 65 ft. north thereof

REGULATORY RESOLUTION NO. 45/82/E

(Adopted August 17, 19 82 )

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 31/82/E: STOP

INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 17, 19 82, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

August 17, 19 82, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Ridgemont Dr. -- stop -- for Elnora Dr.

Ridgemont Dr. -- stop -- for Larch Lane

REGULATORY RESOLUTION NO. 46/82/E  
(Adopted August 17, 19 82)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW AND EXTEND REG. RES. 32/82/E: NO PARKING  
(EMERGENCY) and DELETE: 90 MINUTE PARKING 8:A.M. to 6:00 P.M.  
(EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 17, 19 82, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

August 17, 1982, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Broadway -- west side -- from Lavina St. to Washington Blvd.

DELETE: 90 MINUTE PARKING 8:00 A.M. to 6:00 P.M. (EMERGENCY)

Broadway -- west side -- from Lavina St. to Washington Blvd.

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Number: 47/82/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolution a matter of record and  
incorporate it into the minutes of the next Common Council  
Meeting.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Nick Palermo".

Nick Palermo, Chairman  
Board of Public Safety

R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 47/82/E )

I hereby certify that I did this 24th day of August, 19 82 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 47/82/ E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

  
CHAIRMAN, Board of Public Safety



REGULATORY RESOLUTION NO. 47/82/E

(Adopted August 24, 19 82)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 33/82/E: ONE-WAY

STREET (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 23, 19 82, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

August 24, 19 82, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

ONE WAY STREET (EMERGENCY)

Illinois Rd. -- westbound -- from Main St. to Lindenwood Ave.

CALL, CONSENT AND WAIVER OF NOTICE OF A SPECIAL  
MEETING OF THE COMMON COUNCIL OF THE CITY OF  
FORT WAYNE, INDIANA, TO BE HELD  
THURSDAY, AUGUST 26, 1982 - 7:00 P.M.

We, the undersigned, being all of the members of the Common Council  
of the City of Fort Wayne, Indiana do hereby call a special meeting of said Council  
to be held on Thursday, August 26, 1982 at 7:00 o'clock P.M.,  
E.S.T. and jointly and severally waive notice of the time, place and purpose of  
said meeting and consent that same be held on the aforesaid date for the purpose  
of placing before Common Council for action and passage of a  
Bill regarding Home Rule.

Mark C. Giannini

James J. Sullivan

Samuel J. Falarico

Paul J. Lums

Ry J. Acker

Boyd A. Clav

D. S. L.

Janet G. Bradbury

DATED THIS 8-17-82

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

CALL, CONSENT AND WAIVER OF NOTICE OF A SPECIAL  
MEETING OF THE COMMON COUNCIL OF THE CITY OF  
FORT WAYNE, INDIANA, TO BE HELD

*Tuesday, September 7, 1982 - 7:00*

We, the undersigned, being all of the members of the Common Council  
of the City of Fort Wayne, Indiana do hereby call a special meeting of said Council  
to be held on Tuesday, September 7, 1982 at 7:00 o'clock P.M.,  
E.S.T. and jointly and severally waive notice of the time, place and purpose of  
said meeting and consent that same be held on the aforesaid date for the purpose of  
placing Bill No A-82-08-18 --- AN ORDINANCE of the City of  
Fort Wayne, Indiana appropriating the sum of Three Million One  
Hundred Thousand Dollars (\$3,100,000.00) to be applied on the cost of  
various street improvements and exepenses incurred in connection  
therewith

Samuel J. Talarico

James G. Braddock

Victor L. Scruggs

Ray J. Ashby

James D. Shuman

W. Schmidt

Ray A. C.

James D. Shuman

DATED THIS 24th August, 1982

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

CALL, CONSENT AND WAIVER OF NOTICE OF A SPECIAL  
MEETING OF THE COMMON COUNCIL OF THE CITY OF  
FORT WAYNE, INDIANA, TO BE HELD  
MONDAY, AUGUST 30, 1982 - 7:00 P.M. COUNCIL CHAMBERS

We, the undersigned, being all of the members of the Common Council of the City of Fort Wayne, Indiana do hereby call a special meeting of said Council to be held on MONDAY, AUGUST 30, 1982 at 7:00 o'clock P.M., E.S.T. and jointly and severally waive notice of the time, place and purpose of said meeting and consent that same be held on the aforesaid date for the purpose of placing before Common Council Bill No. A-82-08-14 -- AN ORDINANCE appropriating monies for the purpose of defraying the expenses of the several departments of the City Government of the City of Fort Wayne, Indiana, for the fiscal year beginning January 1, 1983, and ending December 31, 1983, including all outstanding claims and obligations and fixing a time when the same shall take effect for consideration.

Samuel J. Talarico

Janet H. Beadbury

Victoria L. Scruggs

Ry Schon

Joe Miller

DJ Schmidt

Ray A. Coker

DATED THIS 24th day of August, 1982

Charles W. Westerman

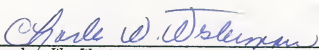
CHARLES W. WESTERMAN  
CITY CLERK

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 24th day of August, 19 82 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 25th day of August, 19 82.

  
\_\_\_\_\_  
Charles W. Westerman  
City Clerk